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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,)
11 Plaintiff,) No. CR 05- 0457 JSW
12 v.) STIPULATION AND [PROPOSED]
13 PATRICK JENKINS,) ORDER CONTINUING
14 Defendant.) APPEARANCE AND EXCLUDING
15 _____) TIME UNDER THE SPEEDY TRIAL
16 ACT
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The defendant in the above-captioned matter is set to appear before the Court for a change of plea on December 8, 2005, at 2:30 p.m. However, undersigned counsel for defendant will be out of the country on that date. Accordingly, the parties jointly request and stipulate that the Court continue the appearance to December 22, 2005, at 2:30 p.m. Time is excludable under the Speedy Trial Act for continuity of counsel. 18 U.S.C. § 3161(h)(8)(B)(iv).

IT IS SO STIPULATED.

KEVIN V. RYAN
United States Attorney

DATED: November 15, 2005

/S/

MICHELLE MORGAN-KELLY
Assistant United States Attorney

DATED: November 15, 2005

/S/

DANIEL P. BLANK
Assistant Federal Public Defender
Attorney for Patrick Jenkins

IT IS SO ORDERED.

DATED: November 17, 2005

Jeffrey P. White
Jeffrey P. White
United States District Judge

STIP. & ~~PROB.~~ ORDER EXCL. TIME